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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Aug 08, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MARY C.,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:17-cv-03188-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

**ECF Nos. 22, 32**

BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF

No. 32) of the above-captioned matter to the Commissioner for additional

administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g).

Attorney D. James Tree represents Plaintiff. Attorney Leisa Wolf represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 8. After considering the file and proposed order, **IT IS HEREBY**

**ORDERED:**

1. The parties' Stipulated Motion for Remand (**ECF No. 32**) is

**GRANTED.**

1       2. The above-captioned case is **REVERSED** and **REMANDED** to the  
2 Commissioner of Social Security for further administrative proceeding pursuant to  
3 sentence four of 42 U.S.C. § 405(g).

4           Pursuant to the parties' Stipulation, on remand the Appeals Council will  
5 determine whether the record supports a finding of disability. If the record requires  
6 further development, the Appeals Council will remand the case to an administrative  
7 law judge (ALJ), who shall update the medical records and issue a new decision.

8 The ALJ shall also:

- 9     • Reevaluate the medical opinions of record indicating the weight assigned  
10    to each opinion with specific reasoning and citing the evidentiary basis for  
the conclusions;
- 11    • Obtain evidence from a medical expert to assist in clarifying the nature,  
severity, and limiting effects of Plaintiff's impairments during the relevant  
period;
- 12    • Reevaluate Plaintiff's maximum residual functional capacity during the  
relevant period and if necessary, obtain vocational evidence to reevaluate  
steps four and five of the sequential evaluation process in order to clarify  
the effect of the assessed limitations on Plaintiff's occupational base; and
- 13    • Take any further action needed to complete the administrative record and  
to issue a new decision.

15 ECF No. 32 at 1-2.

16       3. Judgment shall be entered for **PLAINTIFF**.

17       4. Plaintiff's Motion for Summary Judgment (**ECF No. 22**) is **STRICKEN**  
18 **AS MOOT**.

19       5. Upon proper presentation, this Court will consider Plaintiff's application  
20 for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

1 The District Court Executive is directed to enter this Order, **enter Judgment**,  
2 forward copies to counsel, and **CLOSE THE FILE**.

DATED August 7, 2018.

s/Mary K. Dimke  
MARY K. DIMKE  
UNITED STATES MAGISTRATE JUDGE